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NO. 34263

In The

SUPREME COURT OF ILLINOIS

January Term, A. D. 1957.

CHICAGO LAND CLEARANCE COMMISSION, a municipal corporation, Appellee, vs. QUINN HOME BUILDERS, a corporation of Illinois, et al., THOMAS O'DONNELL and MARY O'DONNELL, Appellants.	)	Appeal from Circuit Court of Cook County. — Eminent Domain — Honorable Denis J. Normoyle, Judge Presiding.

ADDITIONAL ABSTRACT OF RECORD

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INDEX

Analysis and Recommendations of Planning Division	4
Judgment of Circuit Court of Cook County	36
Map of Blighted Vacant Area Redevelopment Project No. 2	34
Ordinance of City of Chicago	1
Resolution of Chicago Land Clearance Commission	2
Resolution of State Housing Board	35

No. 34203

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vs.	)	Eminent Domain
QUINN HOME BUILDERS, a Corporation of Illinois, Et Al., THOMAS O'DONNELL and MARY O'DONNELL, Appellants.	)	Honorable Denis J. Normoyle, Judge Presiding.

ADDITIONAL ABSTRACT OF RECORD

Page of Record

134 Ordinance of the City of Chicago, dated July 11, 1951, entitled "Ordinance to Approve the Determination of the Chicago Land Clearance Commission that Blighted Vacant Area Redevelopment Project Number 2 should be acquired and to approve the Redevelopment Plan for said Project." Said Ordinance reads in part as follows:

134 WHEREAS, the Commission did, on July 26, 1950, by Resolution No. 50-CLCC-56, a certified copy of which has been delivered to the City Council of the City of Chicago, determine that a tract of land on the southwest side of the City of Chicago should be acquired by the Commission as an area of predominantly open platted

urban land which because [illegible] planning, [illegible] ship, deterioration of structures or of site improvements, or taxes or special assessment delinquencies exceeding the fair value of the land, substantially impairs or arrests the sound growth of the community and which is to be developed for predominantly residential uses, said tract of land having been designated as Blighted Vacant Area Redevelopment Project Number 2, * * *

135 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

1. That the determination of the Commission that the real property herein designated as Blighted Vacant Area Redevelopment Project Number 2 should be acquired is hereby approved by the City Council and the City Council hereby gives its approval to the acquisition of said area, or any portion or portions thereof, by the Chicago Land Clearance Commission for development for predominantly residential uses.

341 Petitioner's Exhibit 8, being Resolution No. 50-CLCC-56 of Chicago Land Clearance Commission, dated July 26, 1950, entitled "Determination that Land at 79th Street and Western Avenue should be acquired for a Blighted Vacant Area Redevelopment Project." Said Determination refers to the Blighted Areas Redevelopment Act of 1947, as amended (Ill. Rev. Stat. Chap. 67½ Sections 63 to 91), and reads in part as follows:

WHEREAS, the Chicago Plan Commission has made a study for the Chicago Land Clearance Commission of such lands in the City of

Chicago, Illinois, entitled 'Blighted Vacant Land' and dated May, 1950:

WHEREAS, the Chicago Land Clearance Commission, hereinafter referred to as a Commission, has investigated an area of predominantly open urban land, and has taken into consideration the characteristics of such land as presented in the said Chicago Plan Commission study, and

WHEREAS, the Executive Director of the Commission has hereupon presented to the Commission a report on said area entitled "Analysis and Recommendations of the Planning Division of the Blighted Vacant Land Site at 79th Street and Western Avenue," dated July 26, 1950, finding that certain land lying between 77th and 79th Streets, Rockwell Street and Western Avenue, in the City of Chicago, Illinois, containing 264 lots (here follows legal description) meets the requirements of Section 3(1) of the Act for a Blighted Vacant Area Redevelopment Project.

342

NOW, THEREFORE, be it resolved by the Chicago Land Clearance Commission that:

2. The Commission hereby finds that the area consists of predominantly open platted urban land, which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or taxes or special assessment delinquencies exceeding the fair value of the land, substantially impairs or arrests the sound growth of the community and which is to be developed for predominantly residential uses;

343 3. It is hereby determined that said area should be acquired pursuant to the provisions of the Act and the area is hereby designated as "Blighted Vacant Area Redevelopment Project Number 2."

345-372 Analysis and recommendations of the Planning Division on the Blighted Vacant Land Site at 79th Street and Western Avenue, dated July 26, 1950, which is, in words and figures, as follows:

ANALYSIS AND RECOMMENDATIONS OF THE PLANNING DIVISION ON THE BLIGHTED VACANT LAND SITE AT 79th STREET & WESTERN AVE.

July 26, 1950

INTRODUCTION

The 40 acre site bounded by 77th St.-79th St.-Western and Rockwell Avenues is an ideal example of "blighted vacant land" that "substantially impairs or arrests the sound growth of the community" as defined by Section 3 (L) of the Illinois Blighted Areas Redevelopment Act of 1947, as amended, and also Section 110 (c)(1)(iii) of Title I of the Housing Act of 1949, 81st Congress, 1st session. Further, this area contains the characteristics of blighted vacant land set forth in the Study of Blighted Vacant Land prepared by the Chicago Plan Commission in May, 1950.

BLIGHTED VACANT LAND AND SOUND COMMUNITY GROWTH

In order that the tremendous cost, both social and economic, of such blighted vacant land to the city be realized fully, it is important that some of its effects upon the community be considered.

Blighted vacant areas impair sound community growth for they cause a lack of balance in the city structure with the result that some areas are over-crowded and others are too thinly occupied. This is evidenced by the fact that many areas that are near transportation and places of employment are entirely vacant.

This lack of balance causes a wasteful and uneconomical use of the public utility plant, for the utilities have to be extended through and past these interstices to more distant areas at great expense to accommodate population growth. In general, development of these areas would not tend to increase the cost of utilities because these areas are already within the city framework of utilities, and by increasing the intensity of use, the per unit cost of many existing services is reduced.

In addition to the cost of utilities, such services as fire and police protection are increased because vacant areas are hazards from the standpoint of crime and brush fires. Other community costs are increased by the unnecessary building of new schools and parks which are already, in whole or in part, available near the vacant areas.

The tax delinquency found in these areas has a profound adverse effect on sound community growth, not only from the standpoint of loss of revenue from the area, but also from the added costs that these delinquencies cause, such as sending out tax bills and publishing tax delinquency lists. Eventually, the burden of delinquency falls upon the taxpayers of the city, and they are forced

[illegible] use to anyone else.

In these areas the title to the property becomes so complicated with delinquent taxes, unpaid special assessments, tax and quit claim deeds, and other liens that the cost and difficulties of clearing the title is prohibitive even when there exists a legitimate demand. Moreover, in many cases it is virtually impossible to find the owners.

The extent of delinquency and the lack of revenues in blighted vacant land tend to increase the city debt, and makes city borrowing more costly and difficult. Thus, the effect of tax delinquency is much greater than just the failure to produce revenue from an area.

The presence of obsolete platting, and wide diversity of ownership, are other typical characteristics of blighted vacant land. Narrow lots are undesirable in today's market because people have come to expect the amenities of more light and air instead of extremely crowded conditions, and mortgage insurance is unavailable where these lots are inadequate. A large diversity of ownership of parcels prevents effective consolidation of the lots so that larger homesites may be obtained. Moreover, in these areas there is an excess amount of area devoted to streets and alleys, and the amount of through traffic made possible in the design of these areas would constitute hazards to the safety of the population living in them were they developed as presently platted.

HISTORY AND LOCATION OF THE SITE

The history of this site at 79th and Western, and the surrounding area, indicates the manner in which this area has been bypassed in city growth. The site was subdivided and recorded in 1925, and is still essentially vacant. In the area to the south, subdivided at the same time, a few apartment buildings were built in the late twenties, and recently such a vast number of single family residential structures were erected that this latter area is completely built up now. The area to the immediate north of the site is also completely built-up. The aerial photo shows the built up nature of these areas. (Exhibit I)

The areas immediately to the east and west are designated for industrial use, and very little construction has taken place.

This 79th and Western site is crucially located with respect to opportunities for employment. In addition to the presence of commercial establishments along 79th Street and Western Avenue,

the rocket plant to the west, within one mile of commercial centers at 79th and Ashland, within four miles of the World's largest outlying shopping center, 63rd and Halsted Street, which employs hundreds of workers, and relatively close to the industrial clearing district. The general environment map (Exhibit 2) shows the crucial location of our site with respect to these and other employment opportunities as well as shopping and other community facilities.

Relatively close to the site there lie a Forest Preserve, Marquette Park, and two proposed parks that have been acquired by the Chicago Park District. Six public elementary, and a like number of parochial schools also exist within one mile of the site. Three more public and one more parochial school may be found by increasing the radius one-half mile. As the map shows, the site is very adequately served by public transportation.

With all of these facilities available, there is no doubt that the area is ripe for development and that its lack of use is obstructing sound community growth. It is now necessary to examine the factors that have caused this area to lie dormant while the surrounding area has been building up.

FACTORS IMPEDING DEVELOPMENT

There are many factors which have tended to impede the development of this area. Each factor will be examined individually, but it should be emphasized that it is not the effect of each factor per se that has prevented activity, but the combined effect of all the factors. This section will be devoted to presenting these obstacles.

Diversity of Ownership

The diversity of ownership in the area appears to be a major factor contributing to the present vacant status of the site. The fact that 157 different owners would have to be contacted in order to acquire 264 lots indicates the difficulty in undertaking large scale development.

The number of different lots per owner averages 1.7. An examination of Exhibits III and IV reveals that in 4 of the blocks the average falls to between 1.2 and 1.4 lots per owner and in only two blocks is the average 2 or more lots per owner and one of these already contains improved parcels which will not be acquired.

Exhibit V showing the diversity of ownership by lot reveals the degree to which lots are contiguously owned as well as the

Twelve owners hold 46 of the 264 lots. The lots owned by these 12 are so scattered through the site and amongst the 115 lots held singly, or 44% of the total number of lots, that assembly of a group of lots is extremely difficult. In addition to this diversity, as Exhibit V indicates, there are many lots held in split ownership.

Thus, there exists in the area a great diversity of ownership which when combined with other factors to be discussed has prevented development in this area.

Availability of Lots

a) Recent Activity

A study of lot transactions in this area indicates that from 1940 to-date on only 84 out of the total of 264 lots was there any activity. In transactions which did occur, 20 have been by warranty deed, 8 by tax foreclosure and 28 by either quit claim or tax deeds (See Exhibit VI). Thus, of the transactions which have occurred there are a greater number which have resulted only in the acquisition of equities or of tax titles, and a lesser number in actual transfer of the fee title.

Out of 61 transactions involving 84 lots which occurred 1940 to-date, only 1/4 occurred in the last three years, and the area remains substantially as undeveloped as it was ten years ago.

A comparison of the transactions which have occurred with Exhibit V reveals that these sales have not provided contiguously owned lots and that the extent of diversity of ownership is practically unchanged from that of ten years ago despite the transactions that have occurred.

b) No Name Parcels

An examination of the records of the County Tax Assessor's Office reveals that 100 lots of the 264 are carried as "No Name" which indicates the difficulty that office has had in locating the owners in the area. Tax bills have been consistently computed and mailed for these lots, and the costs of so doing incurred, yet no taxes have been paid.

c) Adverse Interests

Exhibit V shows the location of the lots on which there are adverse interests and Exhibit VII indicates that such adverse

interests affect 31 of the lots. We find that these 31 lots are widely scattered through the site increasing the difficulties of acquisition.

d) Other

Exhibit VII shows there are many lots held under split ownership by heirs of estates. The difficulties of finding these heirs or getting them to agree on selling terms increases the difficulty of assembling these lots.

Tax Delinquency

The tremendous cost to the city of tax delinquent property was discussed in the previous section.

Exhibits VIII thru XI show the number of lots in each block by the number of years these lots have been tax delinquent.

It will be seen from Exhibit VIII that for the entire area over 80% of the lots have been tax delinquent for one year or more. On over 1/3 of the lots taxes have not been paid for 20 years or more and on over 1/2 of the lots taxes have not been paid for 5 or more years.

Exhibits X and XI show that the number of lots tax delinquent has been increasing constantly at varying rates from 1927 to-date. 37 lots were delinquent in 1927 and 224 lots were delinquent in 1949.

The location of these delinquent lots is presented in Exhibits VIII through XII. Exhibit XII shows that there is no consistent spatial concentration of delinquent lots. The wide scattering on the heavily delinquent lots impedes the development of this area.

Exhibit XIII shows tax delinquencies as a percentage of the 1949 assessor's valuation by block. It should be noted that in 5 of the 10 blocks the delinquency exceeds the total valuation.

In the area as a whole, delinquencies exceed assessed value by almost $6300.

Exhibit XIV showing total tax delinquency as a percentage of the 1949 assessed valuation by lot indicates that in 45% of the lots delinquencies exceed the assessed value. This Exhibit also shows that the location of this 45% is so crucial that only haphazard development could result at all even if there were no other factors impairing the development of the site.

Revenues

Exhibits XIII, XV and XVI show the nature of the tax revenues received from the area since 1927. Here the striking failure of the area to yield revenue is revealed. In general the amount delinquent is almost twice as much as the revenue for the entire area and in one block the ratio is over 5 to 1. Revenue exceeds delinquencies in only one of the blocks as shown on Exhibit XVIII. Exhibit XVII shows that in almost one-half of the lots delinquencies exceed the revenues.

Obsolete Platting

Exhibit XIX shows the nature of the obsolete platting in this area. Only 9% of the lots are over 35' in width, approximately 2/3 of the lots are between 30' and 35', and the remaining 1/4 are 25' wide.

The obvious move to obtain wider lots would appear to be to purchase the adjacent lot, but the diversity of ownership and the difficulties of locating owners (frequently numerous heirs of the subdivider or his transferee) would make this a difficult if not impossible task. Furthermore, even if available lots were acquired and even if no other factors tended to impede the development of the area, there would probably be a residue of single lots lying between the improved lots. These single lots would never be developed, delinquency in the area would continue, and net costs of utilities would remain higher than were the area entirely developed.

The 25 foot wide lots along 79th Street and along Western Avenue were intended for business purposes. These lots constitute an excessive amount of business frontage for this area. Today several factors prevent these 25 foot wide lots from being devoted to residential use. One is that the lots are too narrow and are below FHA standards for mortgage insurance. Another is that there are original deed restrictions binding until November 1, 1955, unless wiped out, which direct that only commercial structures may be built on these lots. The third factor preventing these 25 foot wide lots from being put to residential use is the fact that they are being held in anticipation of commercial use and are too highly priced for residential use.

With the heavy traffic along Western Avenue and 79th Street it is necessary that the street pattern as platted for this area be revised. By such revision, through traffic with its real hazard to the safety of the inhabitants would be substantially diminished. About 35% of the entire area is devoted to streets

and alleys. This amount would be reduced were the area replatted and substantial savings in municipal maintenance costs would thus be made.

Lack of Utilities

One of the greatest factors discouraging development in this area is the lack of utilities. Only sewers and deteriorating sidewalks exist. Installation of streets and water mains would require the total development of the site at one time since it would be virtually impossible for separate individuals to have these utilities installed at different periods of time.

Summary

The difficulties of acquiring the site as it now stands have been pointed out. The diversity of ownership, the crucial location of heavily tax delinquent lots and the obsolete platting all combined have prevented enough development in the area to warrant the construction of streets and the installation of water mains and other basic utilities.

CONCLUSION

It has been pointed out that this area is ripe for development. In these days of housing shortage, available land for residential development is essential to the sound growth of the community. A number of factors have prevented the development of this area for residential construction. As it stands today, the area is impeding sound community growth.

As previously pointed out, no single factor can be held entirely responsible for the lack of development in this area. While there are various methods whereby some of the problems may be solved, more than piecemeal solutions must be sought.

If the site is not developed under modern planning standards, prospective purchasers will continue to turn to the vast tracts of raw land beyond the city limits raising the cost for all concerned while this area lies idle. To obtain a proper plan and to assure that the area will be developed it is recommended that this area be acquired by the Chicago Land Clearance Commission.

Such acquisition will eliminate the problems created by the great diversity of ownership, the obsolete platting, and the tax delinquencies. It would clear clouded titles and eliminate undesirable deed restrictions. It would permit replatting so as to attain more adequate lots, to eliminate dangerous through traffic, to reduce by approximately 20% the area in streets and alleys. Such acquisition and replatting would reduce the cost of utilities due to more compact layout.

Exhibit XX presents the current thinking of the Planning Division with respect to the revision of the platting.

Exhibit XXI shows the rating of this site as judged by the standards set up by the Chicago Plan Commission. The report of Dr. Homer Hoyt, our special consultant, is included as Exhibit XXII.

An analysis of the problems which this area presents indicates that with the aid of the Chicago Land Clearance Commission private enterprise will be able to develop this site under modern planning standards and thus promote sound community growth.

It is therefore recommended that the Chicago Land Clearance Commission determine this site, bounded by 77th St., 79th St., Western Avenue and Rockwell Avenue to be a blighted vacant area which should be acquired for a blighted vacant area redevelopment project pursuant to the Blighted Areas Redevelopment Act of 1947, as amended.

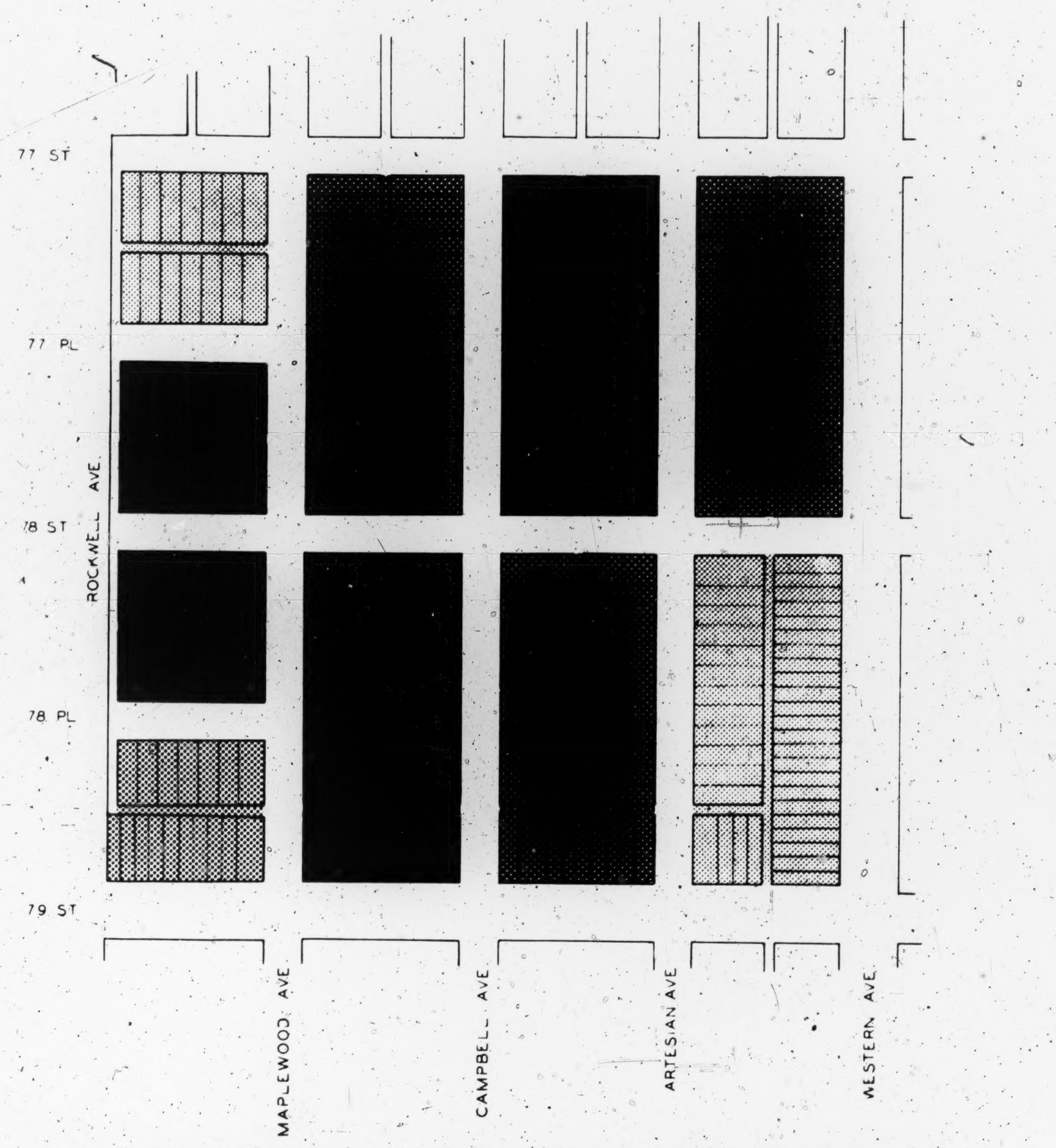
EXHIBIT I

NUMBER OF OWNERS BY BLOCK

BLOCK	NO. OF LOTS	NO. OF OWNERS	NO. OF LOTS PER OWNER
1	31	13	2.4
2	34	22	1.5
3	34	24	1.4
4	17	9	1.9
5	14	12	1.2
6	14	10	1.4
7	14	6	2.3
8	34	21	1.5
9	32	26	1.2
10	40	26	1.5
TOTAL	264	169	1.6
		157*	1.7

*12 owners own lots in more than one block.

Exhibit IV


77 ST
77 PL
ROCKWELL AVE.
78 ST
78 PL
79 ST
MAPLEWOOD AVE
CAMPBELL AVE
ARTESIAN AVE
WESTERN AVE
AVERAGE NUMBER OF LOTS PER OWNER BY BLOCK
1.2 - 1.4
1.5 - 1.7
1.8 - 2.0
2.1 - 2.4
100 200 300 400
LAND CLEARANCE COMMISSION

77 ST

77 PL.

ROCKWELL AVE.

78 ST

78 PL.

78 PL.

79 ST

MAPLEWOOD AVE.

CAMPBELL AVE.

ARTESIAN AVE.

WESTERN AVE.

PARCEL OWNERSHIP

CHANGE IN OWNERSHIP INDICATED BY PATTERN CHANGE. IDENTICAL NUMBERS ON SEPARATE PARCELS INDICATE OWNERSHIP BY IDENTICAL PARTIES. ADVERSE INTEREST INDICATED BY CROSS STRIP, SPLIT OWNERSHIP THUSLY:

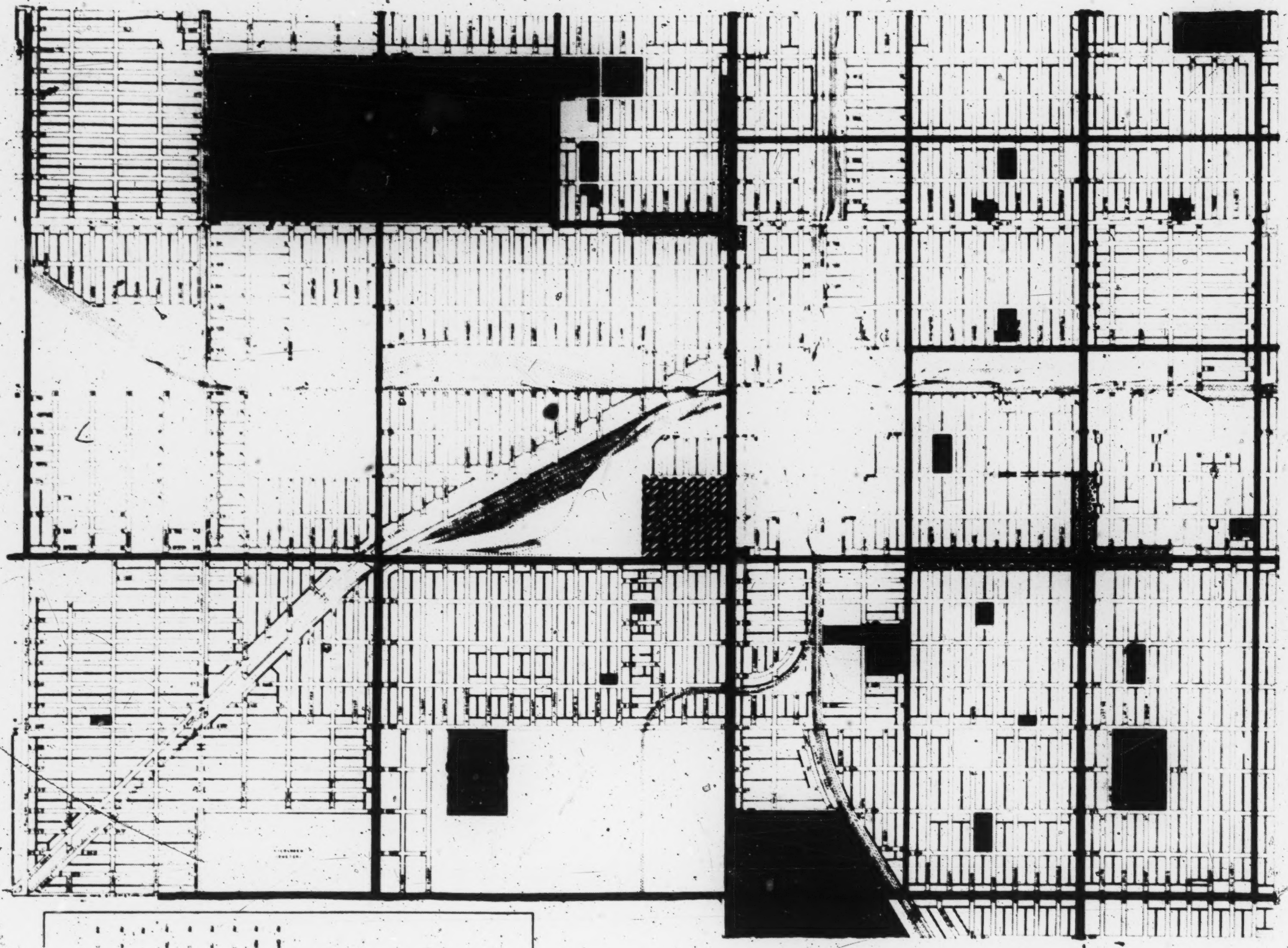
EXISTING STRUCTURES

COMMERCIAL

RESIDENTIAL

0 100 200 300 400

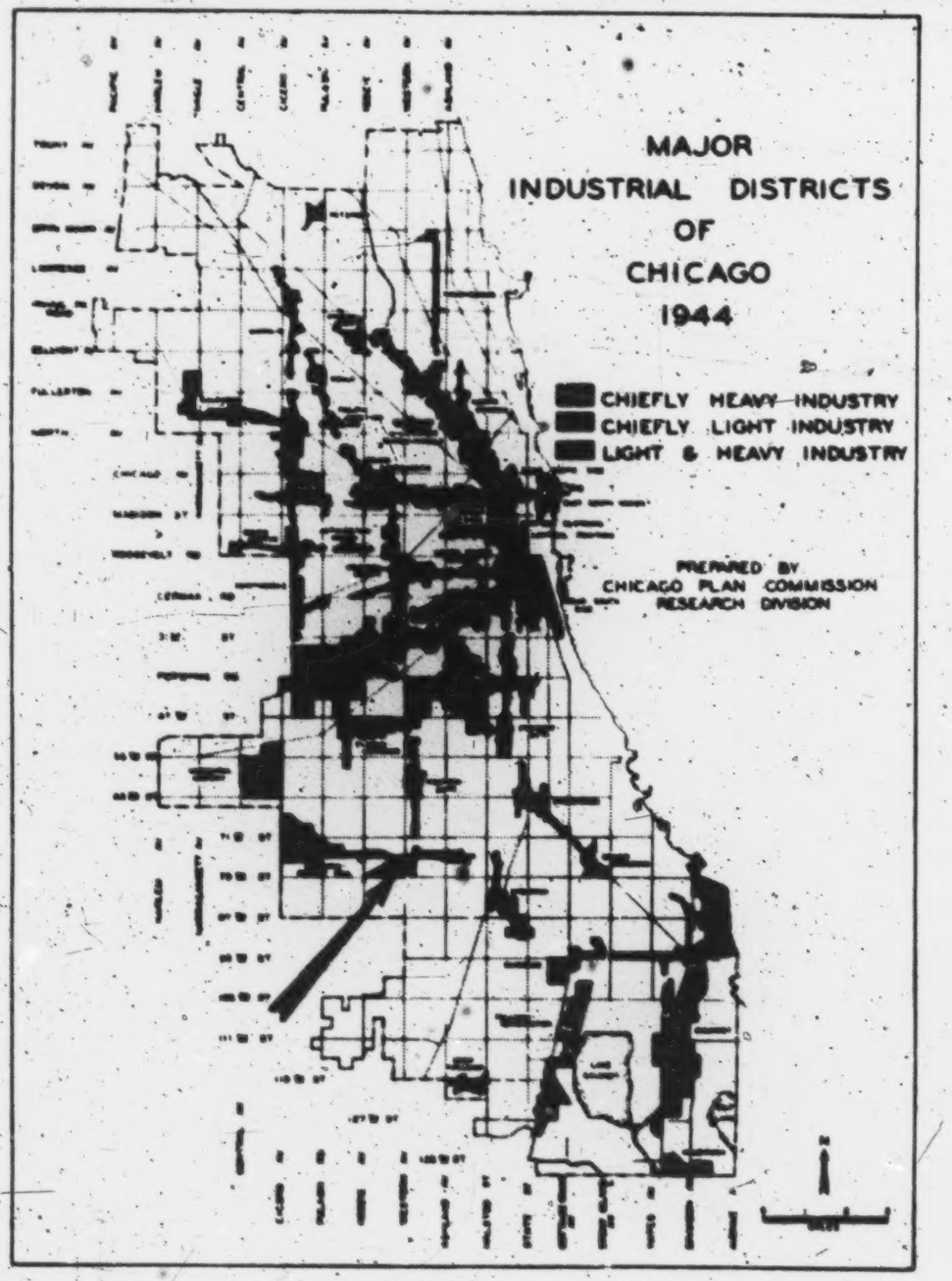
CHICAGO LAND CLEARANCE COMMISSION



79 ST

AERIAL PHOTO

DATE APRIL 9, 1949



COMMUNITY FACILITIES AND TRANSPORTATION

79TH & WESTERN AVE

PROPOSED SITE
PROPOSED PARKS
SCHOOLS - PUBLIC
SCHOOLS - PAROCHIAL
C.T.A LINES
PARKS
SHOPPING

TRAVEL TIME BY C.T.A. FROM SITE

LOOP	1 HOUR
STOCKYARDS & NEARBY INDUSTRY	35 MIN.
79 & ASHLAND - MAJOR SHOPPING	10 MIN.

EXHIBIT VI

PARCEL TRANSACTIONS SINCE 1940

TYPE	NO.	%
Quit-Claim	26	44
Tax Foreclosur	8	13
Warranty Deed	20	32
Tax Deed	2	3
Total (involves 84 lots)	61	100

EXHIBIT VII

See Chicago Title & Trust Company ownership data. (Bound separately.)

VACANT LOTS BY NUMBER OF YEARS DELINQUENT

BLOCK	20 YRS. OR MORE		10 - 19		5 - 9		1 - 4		CURRENT (1949)		TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
1	7	22.6	3	9.7	0	0.0	17	54.8	4	12.9	31	100
2	14	41.2	2	5.9	2	5.9	8	23.5	8	23.5	34	100
3	9	26.5	9	26.5	2	5.9	6	17.6	8	23.5	34	100
4	6	35.3	6	35.3	0	0.0	4	23.5	1	5.9	17	100
5	3	21.4	4	28.6	0	0.0	3	21.4	4	28.6	14	100
6	0	0.0	0	0.0	1	7.1	11	78.6	2	14.3	14	100
7	11	78.6	0	0.0	0	0.0	2	14.3	1	7.1	14	100
8	17	50.0	3	8.8	1	3.0	5	14.7	8	23.5	34	100
9	12	37.5	3	9.4	1	3.1	11	34.3	5	15.7	32	100
10	9	22.5	7	17.5	2	5.0	16	40.0	6	15.0	40	100
TOTAL	88	33.4	37	14.0	9	3.4	83	31.4	47	17.8	264	100

EXHIBIT IX

VACANT LOTS BY NUMBER OF YEARS DELINQUENT BY BLOCKS

BLOCK	20 YRS. OR MORE		10 - 19		5 - 9		1 - 4		CURRENT (1949)		TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
1	7	8.0	3	8.1	0	0.0	17	20.5	4	8.5	31	11.7
2	14	15.9	2	5.4	2	22.2	8	9.6	8	17.0	34	12.9
3	9	10.2	9	24.4	2	22.2	6	7.2	8	17.0	34	12.9
4	6	6.8	6	16.2	0	0.0	4	4.8	1	2.1	17	6.4
5	3	3.4	4	10.8	0	0.0	3	3.6	4	8.5	14	5.3
6	0	0.0	0	0.0	1	11.1	11	13.3	2	4.3	14	5.3
7	11	12.5	0	0.0	0	0.0	2	2.4	1	2.1	14	5.3
8	17	19.3	3	8.1	1	11.1	5	6.0	8	17.0	34	12.9
9	12	13.7	3	8.1	1	11.1	11	13.3	5	10.7	32	12.1
10	9	10.2	7	18.9	2	22.2	16	19.3	6	12.8	40	15.2
TOTAL	88	100.0	37	100.0	9	100.0	83	100.0	47	100.0	264	100.0

SOURCE: COMPUTED FROM TAX REPORTS

Chicago Land Clearance Commission
June 10, 1950

EXHIBIT X

PROGRESSIVE NUMBER OF LOTS DELINQUENT EACH YEAR FROM 1927 TO DATE BY BLOCKS

Block	Delinq. 20 or More Years			10-19 Yrs Delinquent										5-9 Yrs Del					1-4 Yrs Delinq.				Current	Total
	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	
1	6	1		1			2														2	15	4	31
2	4	8	2	1				1						2						2		6	8	34
3	3	2	4	6	2		1							1	1							6	8	34
4	2	4			3				1		2	1										2	1	17
5		1	2								2								2			3	4	14
6																	1				1	9	2	14
7	5		6																1		2	2	1	14
8	12	2	3	1		1						1					1				2	3	8	34
9	3	5	4					2		1								1				9	5	32
10	2	3	4	2	1				1	2			1	2								16	6	40
Total	37	26	25	12	6	1	3	3	2	3	4	2	1	5	1	0	2	1	3	2	7	71	47	264

Chicago Land Clearance Commission
June 10, 1950

EXHIBIT XI

CUMULATIVE TOTALS OF DATE TAXES LAST PAID ON LOTS BY BLOCK

Block	20 or More Years Delin.			10-19 Years Delinquent										5-9 Years Delinquent					1-4 Years Delinquent				Current		Total
	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
1	6	7	7	7	8	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	12	27	31	31	31
2	4	12	14	15	15	15	15	16	16	16	16	16	16	18	18	18	18	18	18	20	20	26	34	34	34
3	3	5	9	15	17	17	18	18	18	18	18	18	18	19	20	20	20	20	20	20	20	26	34	34	34
4	2	6	6	6	9	9	9	9	10	10	12	12	12	12	12	12	12	12	14	14	14	16	17	17	17
5	0	1	3	4	4	4	4	4	4	4	6	7	7	7	7	7	7	7	7	7	7	10	14	14	14
6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	2	2	3	12	14	14	14
7	5	5	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	13	14	14	14
8	12	14	17	18	18	19	19	19	19	19	19	20	20	20	20	20	21	21	21	21	23	26	34	34	34
9	3	8	12	12	12	12	12	14	14	15	15	15	15	15	15	15	15	16	16	16	18	27	32	32	32
10	2	5	9	11	12	12	12	12	13	15	15	15	16	18	18	18	18	18	18	18	18	34	40	40	40
Total	37	63	88	100	106	107	110	113	115	118	122	124	125	130	131	131	133	134	137	139	146	218	264	264	264

Chicago Land Clearance Commission
June 10, 1950

77 ST

77 PL.

ROCKWELL AVE.

78 ST

78 PL.

78 PL.

EXEMPT

79 ST

MAPLEWOOD AVE.

CAMPBELL AVE.

ARTESIAN AVE.

WESTERN AVE.

NUMBER OF YEARS TAX DELINQUENT BY LOT

CURRENT

1 - 4

5 - 9

10 - 19

20 - MORE

0 100 200 300 400

CHICAGO LAND CLEARANCE COMMISSION

EXHIBIT XIII

TOTAL REVENUES, DELINQUENCIES AND ASSESSED VALUE OF VACANT LOTS BY BLOCKS

Blocks	Number of Lots	Delinquencies	% of Total Delinq.	Total Tax Revenues	% of Total Revenues	Assessed Value	% of Total Value
1	31	$ 15,990.42	12.9	$15,276.90	23.7	$ 26,767.00	22.8
2	34	28,044.47	22.7	7,758.61	12.0	15,770.00	13.4
3	34	21,180.25	17.1	8,478.63	13.2	14,396.00	12.3
4	17	13,388.01	10.8	2,479.79	3.8	5,582.00	4.8
5	14	2,673.28	2.2	2,037.05	3.2	3,578.00	3.0
6	14	667.00	.5	2,759.92	4.3	3,578.00	3.0
7	14	5,191.66	4.2	987.82	1.5	3,636.00	3.1
8	34	11,997.54	9.7	4,548.74	7.1	12,116.00	10.3
9	32	10,514.61	8.5	5,881.84	9.1	11,416.00	9.7
10	40	14,149.20	11.4	14,230.12	22.1	20,660.00	17.6
TOTAL	264	$ 123,796.44	100.0%	$64,439.42	100.0%	$117,499.00	100.0%

RELATIONSHIP OF ABOVE FACTORS (EXPRESSED AS PERCENTAGE)

BLOCK	DELINQUENCIES ASSESSED VALUE	TAX REVENUE DELINQUENCIES	TAX REVENUE ASSESSED VALUE
1	59.7	95.5	57.1
2	177.8	27.7	203.3
3	147.1	40.0	58.9
4	239.8	18.5	44.4
5	74.7	79.1	56.9
6	18.6	413.8	77.1
7	142.8	19.0	27.2
8	99.0	37.9	37.5
9	92.1	55.9	51.5
10	68.5	100.6	68.9
TOTAL	105.4	52.1	54.8

77 ST

77 PL.

ROCKWELL AVE.

78 ST

78 PL.

78 PL.

79 ST

MAPLEWOOD AVE.

CAMPBELL AVE.

ARTESIAN AVE.

WESTERN AVE.

TOTAL TAX DELINQUENCY SINCE 1927 AS A PERCENTAGE OF 1949 ASSESSOR'S VALUATION BY LOT

1-24
25-49
50-99
100-199
200-299
300-OVER

0 100 200 300 400

CHICAGO LAND CLEARANCE COMMISSION

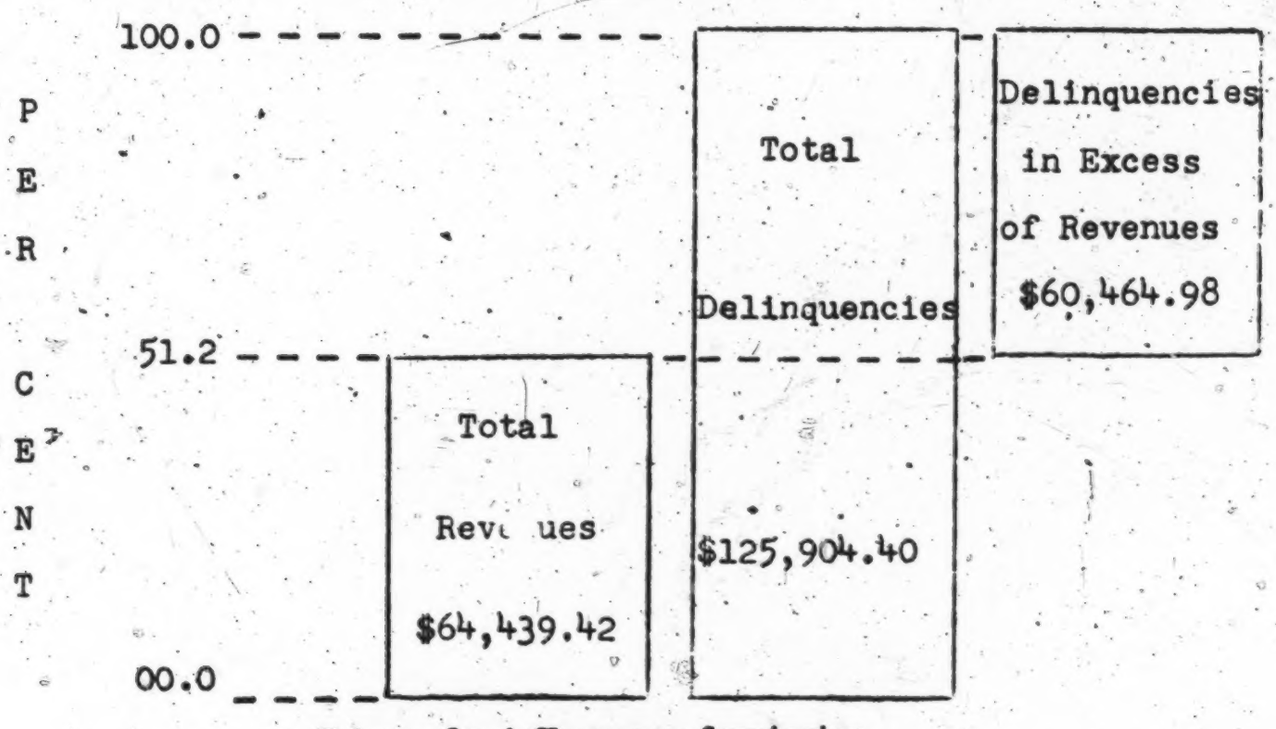
BLOCKS BY PROPORTION OF LOTS IN WHICH DELINQUENCIES EXCEED REVENUES[1]

Block Number	Lots in which Delinquencies Exceed Revenues	
	Number of Lots	% of Total Lots in Block
1	11	28.9
2	18	46.2
3	19	55.9
4	15	88.2
5	7	50.0
6	1	17.1
7	11	78.6
8	20	58.8
9	16	47.1
10	15	48.4
Total	133	50.4

[1]Excluding occupied parcels.

EXHIBIT XVI

TOTAL REVENUE RECEIPTS AS A PROPORTION OF TOTAL TAX AND SPECIAL ASSESSMENT DELINQUENCIES 1927 TO DATE



77 ST.

77 PL.

ROCKWELL AVE.

78 ST

78 PL.

78 PL.

79 ST

MAPLEWOOD AVE.

CAMPBELL AVE.

ARTESIAN AVE.

WESTERN AVE.

LOTS IN WHICH DELINQUENCY EXCEEDS REVENUE SINCE 1927

CHICAGO LAND CLEARANCE COMMISSION

0 100 200 300 400

77 PL

78 ST

78 PL

78 PL

79 ST

ROCKWELL AVE

MAPLEWOOD AVE

CAMPBELL AVE

ARTESIAN AVE

WESTERN AVE

REVENUE AS A PERCENTAGE OF DELINQUENCY

- 15-30
- 31-65
- 66-100
- OVER 100

0 100 200 300 400

CHICAGO LAND CLEARANCE COMMISSION

77 ST

77 PL

ROCKWELL AVE.

78 ST

78 PL

78 PL

79 ST

MAPLEWOOD AVE.

CAMPBELL AVE.

ARTESIAN AVE.

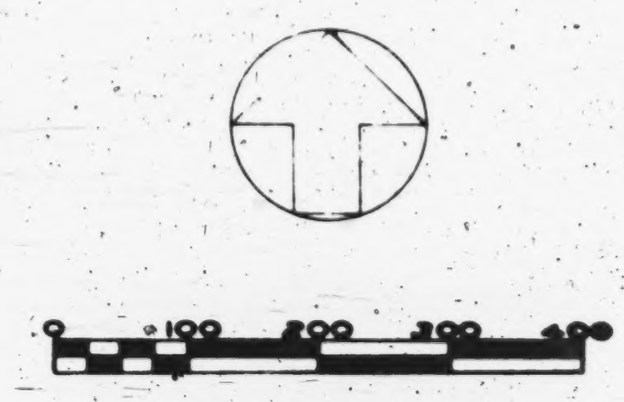
WESTERN AVE.

EXISTING PLATTING

LOT WIDTH

- 25'
- 26'-34'
- 35'
- 36'-44'
- 45'-60'

ALL STREET RIGHT-OF-WAYS WITHIN AREA ARE 66 FEET WIDE. ALLEYS ARE 16 FEET WIDE.



CHICAGO LAND CLEARANCE COMMISSION

EXHIBIT XX

RATING OF AREA

	FACTOR	GRADE	POINTS
Diversity of ownership	63	A	20
Obsolete platting	95	A	10
Tax delinquency	52	B	8
Proportion of new building	0	A	10
Type of planning area	New growth	A	10
Proximity to transportation	Less than ½ mile	A	10
Proximity to employment	1 - 3 miles	A	10
Availability of utilities	Sewers, no streets	C	5
Suitability for residential use	No side industrial	B	8
TOTAL			91

EXHIBIT XXI

July 25, 1950

MEMORANDUM

TO: Ira J. Bach

FROM: Homer Hoyt

SUBJECT: Subdivision at 77th-79th, Western to Rockwell

I favor taking the vacant subdivision at 77th-79th, Western to Rockwell for the test case for the following reasons:

1. This subdivision is in the general area where there are two or three square miles of vacant subdivisions, suitable for immediate home building where thousands of new homes have been built in areas nearby and beyond that could be acquired for new homes. It is apparent this tract and other vacant subdivisions would have been developed if it were not for diversity of the title and lack of improvements.

2. This subdivision has great diversity of ownership with 163 different owners for 274 parcels, so that it is impossible to consolidate title so that necessary improvements can be installed in all lots.

3. The subdivision has obsolete platting with most lots less than 40 feet in width, which are too narrow for modern homes, and with too many through streets that would become heavy traffic arteries, dangerous to adults and children if homes are built in old subdivision layout.

4. There is a lack of streets and underground improvements which can be installed only if one owner has entire tract as streets and sidewalks cannot be installed for absentee or unknown owners who will not pay for them.

5. There is serious tax delinquency with half of lots tax delinquent, and one-third tax delinquent 20 years or more. To take tax delinquency as chief ground for sustaining law would rule out most of areas in Chicago suitable for operation of power of condemnation because usually half of owners have paid taxes to date.

6. Owners who have kept taxes paid up will receive adequate compensation for their land, which they cannot use now because the lots are too narrow, and underground improvements are lacking.

7. Mass transportation at 79th and Western is excellent, as it is a transfer point between busses and street cars on both 79th and Western and this makes this a good location for workers going to industries.

8. This tract is near great industrial plants like Tucker plant that will be used in war, and also Clearing District so that homes here will furnish homes for war workers.

9. This tract is large enough - 40 acres - to permit the planning of a residential neighborhood conforming to ideal planning standards with heavy traffic routed around the neighborhood and the recreation areas in the center.

10. Building homes in this area will strengthen the tax base of Chicago because new homes will yield tax revenue on land that is now paying very little. Collection of delinquent taxes will also aid city financially.

11. Home areas are needed inside the City of Chicago where residents can save time and money in going to and from places of employment.

12. A favorable decision in this case would set a precedent for the redevelopment of that part of Chicago where most of large tracts suitable for homes are available.

377 Map, attached to petitioner's Exhibit 8A, showing boundary of area included in Blighted Vacant Area Redevelopment Project Number 2. Said map is as follows:

E.½ S E¼ SEC. 25-38-13

W. 76TH ST.

W. 77TH ST.

W. 77TH PL.S

AV. 66

AV. 66

AV. 66

BLOCK 8

BLOCK 9

BLOCK 10

ARGYLE CT.

NO. 2

39

BUILDING LINE

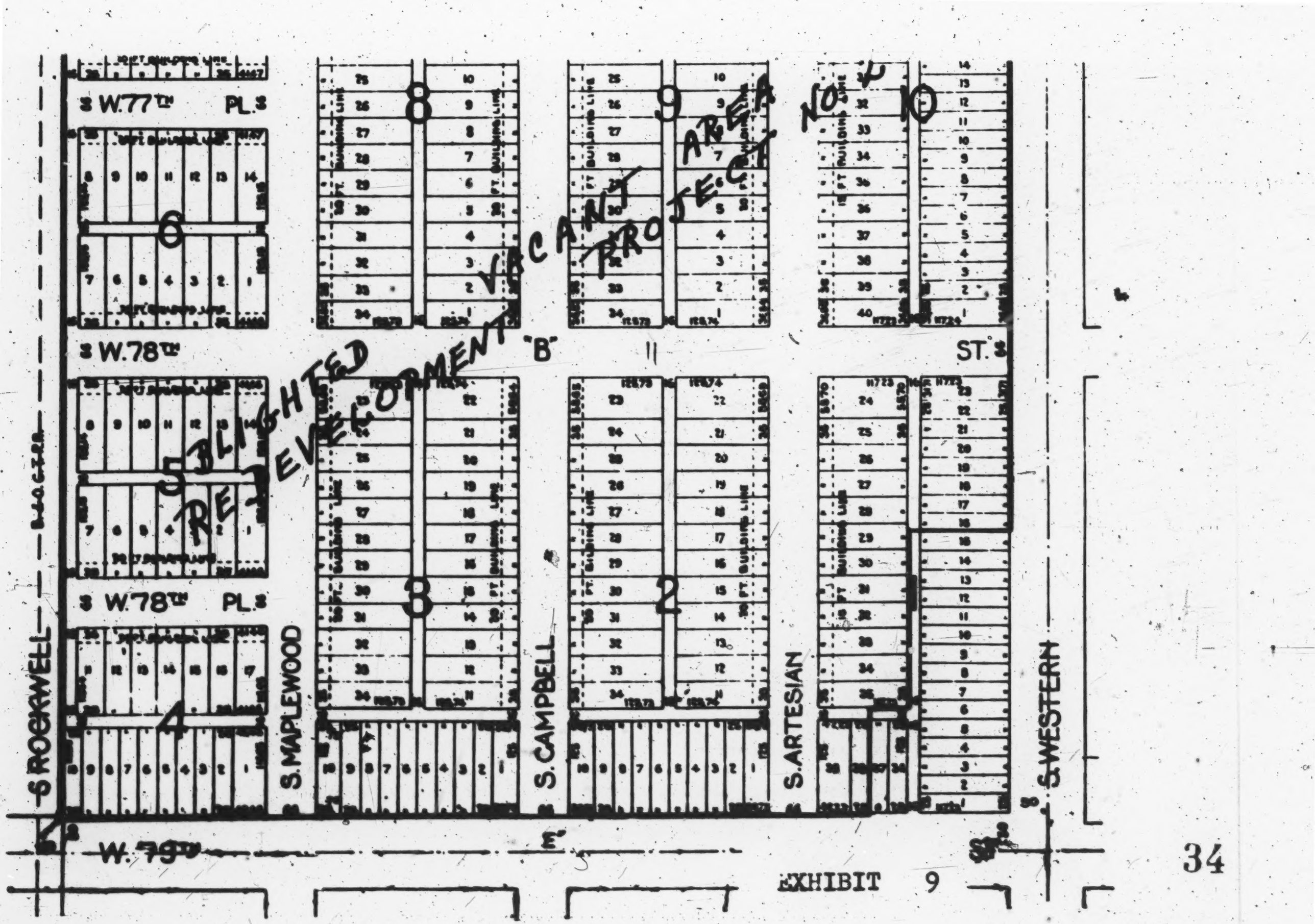

2 W.77TH PL.S
2 W.78TH
3 W.78TH PL.S
3 W.78TH
W. 79TH
S. ROCKWELL
S. MAPLEWOOD
S. CAMPBELL
S. ARTESIAN
S. WESTERN
BLIGHTED
REDEVELOPMENT
"B"
AREA
PROJECT
NO. 2
ST.

EXHIBIT 9

381 Petitioner's Exhibit 10 being State Housing Board Resolution No. 51-SHB-53, dated July 11, 1951, entitled "Resolution No. 51-SHB-53, approving a designation that the land at 79th and Western Avenue is a Blighted Vacant Area." Said Resolution reading in part as follows:

WHEREAS, the Chicago Land Clearance Commission has investigated an area of predominantly open urban land and has taken into consideration the characteristics of the area, and whereas, the Executive Director of the Commission has presented to the State Housing Board a report on said area entitled "Analysis and Recommendations of the Planning Division of the Blighted Vacant Land Site at 79th Street and Western Avenue," dated July 26, 1950, finding that certain land lying between 77th and 79th Streets, Rockwell Street and Western Avenue, in the City of Chicago, Illinois, meets the requirements of Section 3(1) of the Act for a "Blighted Vacant Area Redevelopment Project"; and

WHEREAS, on the 11th day of July, 1951, the City Council of the City of Chicago, pursuant to a resolution received from the Chicago Land Clearance Commission approved the designation of the area at 79th Street and Western Avenue as a Blighted Vacant Area, and

382 WHEREAS, the State Housing Board has visited the vacant property at 79th and Western Avenue, and has considered the documents, charts and characteristics of the area submitted with the resolution

of the Chicago Land Clearance Commission, and has determined that this certain land lying between 77th and 79th Streets, Rockwell Street and Western Avenue, in the City of Chicago, Illinois, meets the requirements of Section 3(1) of an Act for a Blighted Vacant Area Redevelopment Project;

NOW, THEREFORE, be it resolved by the State Housing Board, that:

1. The aforementioned real estate lying between 77th and 79th Streets, Rockwell Street and Western Avenue, in the City of Chicago, Illinois, consisting of predominantly open platted urban land, which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements or taxes or special assessment delinquencies exceeding the fair value of the land, substantially impairs or arrests the sound growth of the community, and which is to be developed for predominantly residential uses, meets the requirements of Section 3(1) of the Blighted Areas Redevelopment Act of 1947;

2. The designation of the above mentioned area as a Blighted Vacant Area Redevelopment Project by the Chicago Land Clearance Commission is hereby approved.

421 Petitioner's Exhibit 20 being the final judgment order dated May 14, 1952, in Quo Warranto case, Circuit Court of Cook County, Illinois, No. 51 C 9074 entitled "People of the State of Illinois, ex rel, John S. Boyle, State's Attorney of Cook County, Plaintiff, vs. City of Chicago, a Municipal corporation, Chicago

Land Clearance Commission, a Municipal corporation, et al, Defendants. (Said judgment order relating to the identical area involved in this appeal and an appeal taken from said final judgment order was affirmed by the Supreme Court of Illinois, and reported in 414 Ill. 600. See pages 20, 21 Appellants' abstract of record).

The findings of said final judgment order reading in part as follows:

6. "Said area described in the complaint as Blighted Vacant Area Redevelopment Project No. 2 is predominantly open platted urban land, which, by reason of obsolete platting, diversity of ownership, deterioration of site improvements and tax delinquencies exceeding the assessed value of the entire area substantially impairs and arrests the sound growth of the community and is unmarketable in fact for housing or other economic purposes unless it can be acquired by the exercise of the right of eminent domain. * * * Said area is a 'Blighted Vacant Area Redevelopment Project' as defined in said Blighted Area Redevelopment Act of 1947, as amended by said Amendatory Act."